

to all of those who are suffering and all those who are fighting back, trying to put their lives back in order.

I see on the floor my colleague from Ohio and my colleague from Kentucky and my colleague from West Virginia. All are States, as well as Indiana, that have been hit very hard.

The most heartening thing to see during a tragedy such as this is how people react. We have many organizations that are involved, but probably the biggest organization involved is not an organization at all, it is just Ohioans and Kentuckians and Hoosiers and people from West Virginia who are out there, helping their neighbors and helping their friends, and sometimes just helping people they do not know at all.

It is the American spirit and is something that is a wonderful thing to behold.

PROBLEMS—AND PROGRESS—IN HAITI

Mr. DEWINE. Mr. President, I would like to take a few minutes today to talk about an issue that I have been looking at for some time. I rise today to discuss U.S. policy in regard to one of our most troubled neighbors in this hemisphere. Over the last several years, in my capacity as a member of the Intelligence Committee, I traveled to Haiti on three separate occasions to investigate the problems of that country and to assess the efforts of the United States to help the Haitians cope with these problems and to help them as they try to secure the solid legal and economic infrastructure that has, frankly, eluded them now for centuries.

I did this because I believe Congress and the administration must undertake a candid, realistic look at U.S. policy, what is working, what is not working, and where we go from here. The American taxpayers have already invested a great deal in Haiti, contributing at least \$2 billion to the country's recovery, risking the lives of American service personnel in the 1994 invasion, and leaving hundreds of them there today to help keep an uneasy peace.

While Haiti is not of great strategic importance to the United States, we do have a serious interest in what happens in this, the poorest country in our hemisphere. These interests stem from geography and are amply proven by history. I do not think most of us need to be reminded, for example, about the Haitian boat people. It is clear the only thing preventing yet another explosion of refugees into the southern part of this country is a wise, multinational investment in the stability of Haiti.

Fortunately, recent history has given us some good guidelines, some good advice, if you will, on how to help secure such stability. One of the great principles of the Reagan administration was that America's national interest was best served by having neighbors that practiced democratic and free-

market principles. In Latin America, the Reagan doctrine certainly has worked.

As free elections and economic liberalization has taken place in country after country, the countries of South and Central America have become better neighbors for the United States. I believe these same principles apply to our national strategy in regard to Haiti.

Mr. President, we need to apply these principles to Haiti so that over the long term, Haiti can move out of the category of "problem country" and into a fuller economic and political participation in regional progress. The challenge for us, the challenge for Congress, the challenge for the administration is to provide assistance that actually works, a do-good approach, not a feel-good approach. This means working with the Haitian people to determine the real roadblocks to democracy and to free enterprise and determine what form of United States assistance will help overcome these obstacles.

Two years after the United States invasion, Haiti still is struggling by any reasonable measure. But a closer examination reveals several seeds of progress struggling to take root.

First, Let's start, Mr. President, with the justice system. For democracy to survive, it is not enough that Haitians have the power to effect change at the ballot box. They also must have a working judicial system. Frankly, Haiti has never had a functioning judiciary, certainly not the way we understand it. There are sitting judges today who can't read or write. Others are just incompetent.

Understandably, the Haitian people are demanding change. Specifically, they want to know if President Preval is committed to building an independent and a competent judiciary. Since President Aristide's return, there has been a series of commando-style killings of political opponents. The numbers have dropped off since the inauguration of President Preval, but, disturbingly, too many people in Haiti still think they can commit political murders with impunity.

Mr. President, there are two things you always need if you want to solve high-profile crimes. First, you have to have the expertise, good solid police work, good professional police investigation. And Second, you also have to have the political will from the top so that everyone in the country, everyone in the judicial system, everyone in law enforcement understands the priority.

The good news is that the Haitian national police have established a special investigations unit, SIU, to investigate human rights crimes. The bad news is that while I was there in November, my most recent visit, the SIU consisted of one experienced United States police officer and roughly 36 inexperienced Haitians. This has changed somewhat since my visit, since two more U.S. police officers have been added to the force.

This is one area in which American expertise can make a big difference. Indeed, with some extra United States help, Haiti could succeed in convicting some of the worst defenders, like the murderers of Mireille Bertin and Guy Malary. Mireille Bertin was an anti-Aristide lawyer. Guy Malary was Aristide's justice minister. To prosecute and convict the killers in those kinds of cases would send an unmistakable message to Haitian society: Your chance of getting justice does not depend on what side you are on.

Mr. President, these reforms will not happen without leadership from the President of Haiti. President Preval needs to push judicial reform and make clear that the period of impunity from the left and from the right is now over.

These reforms will not take place either, Mr. President, without expertise and without assistance from the United States. The SIU needs the kind of know-how that U.S. law enforcement officials can provide; indeed, they can provide it better than anyone else in the world.

After my recent visit, I wrote to Deputy Secretary of State Strobe Talbott and told him that additional U.S. expertise is needed in this area. I am pleased to report that I have received a letter back from Secretary Talbott. He wrote me that two additional Creole-speaking U.S. citizens, U.S. police officers, have been added to the SIU since my last visit, and further, that the FBI has agreed to provide a medical examiner to perform autopsies. Furthermore, he told me that the FBI will visit Haiti with a view toward possibly helping to develop an investigation plan for the SIU.

Mr. President, I ask unanimous consent that Secretary Talbott's letter be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. DEWINE. Mr. President, it is my view that this would be a big step forward for the progress of restoring civil society in Haiti. It would help bring high-profile killers to justice and send a powerful message to the people of Haiti that they can count on law and order becoming a reality in the future of their country.

Let me discuss a broader topic—topic No. 2—the ordinary day-to-day operation of the Haitian police as it deals with run-of-the-mill, nonpolitical crimes, the crimes that most people face the threat of each day.

The United States has already helped to train 5,000 young recruits as a civilian police force to replace the discredited Haitian military. This task was and remains daunting. Try to imagine, Mr. President, the Washington, DC police force fired one day, everyone fired en masse and replaced by kids fresh out of the police academy who are then asked to patrol the city's most dangerous neighborhoods. Or think of any other big city in this country.

As one would expect, there have been some pretty serious problems with this police force. They are alleged to have killed innocent people. In fact, even Pierre Denize, director general of the Haitian national police has acknowledged these problems. He has a letter in *Time* magazine that reached the newsstands earlier this week, in which he writes the following:

I take responsibility for the actions of my subordinates and acknowledge that some HNP members have committed human rights abuses, but the majority of these offenses have been identified through the investigative efforts of HNP officials. The HNP does not condone these acts. In addition, the Haitian Government is working to ensure HNP officers face criminal charges when warranted. Unfortunately, there is no quick fix, as the problems did not originate with the creation of HNP in 1996 but have developed over decades.

Mr. President, one major problem is that these Haitian recruits lack experience, and they also lack the midlevel support that is essential to successful police work. I personally met with 10 of these United States police officers who are mentoring these young Haitian recruits. These Americans are veterans of big city police departments. They were born in Haiti and speak Creole. They are United States citizens. They have worked in some of the biggest, toughest cities and have great police experience. I found them to be enthusiastic and doing a great job. I was very proud of them.

But, frankly, Haiti must have more of them. In his letter that I mentioned earlier, Secretary Talbott wrote me that in response to interest on the part of the Haitian Government, there are now 10 more United States officers there, for a total of 32.

The expectation of law and order is always a prerequisite for a working society, but it is also a prerequisite for a working economy. Therefore, let me turn now to the third major issue I would like to discuss, the state of Haiti's economy, and I have mixed news to report.

After a decade and a half of negative growth, the Haitian economy is finally beginning to grow, very slowly. But if the Haitians do not move forward, if the Government does not move forward immediately on privatizing their State industries, growth is going to stop. People need to see real economic progress if they are going to support the free market over the long run. If Haiti pays lip service to the free market while continuing its dead-or-dying state-run businesses, the prosperity will not be there for the Haitian people, and support for market reforms and support for democracy will erode very quickly.

The Haitian Parliament has taken a meaningful first step by passing privatization legislation. But legislation is only a first step. To make a difference in national prosperity, privatization has to be real. It has to actually happen. President Preval must move forward quickly and forcefully on privatization.

Mr. President, another thing that absolutely must happen in Haiti is the fundamental reform of Haiti's corrupt and inefficient ports. And this brings me to my fourth topic.

My wife Fran and I visited an orphanage in Haiti, at which a nun approached us and told us that her orphanage had been expecting a vitally important x-ray machine. Where was it? She told us it was sitting on the docks for months. Then it was finally stolen. A second replacement x-ray machine, estimated to be worth a great deal of money, sat on the docks for months and months awaiting the payment of a 30-percent tax.

Mr. President, a few weeks after returning to the United States, I met with Joe Busken in Cincinnati, a private citizen. Mr. Busken has been involved for years with a different orphanage in Haiti. He outfitted a bakery for them and taught them to make highly nutritious bread. I found, in talking to Mr. Busken, that last July—last July—he had shipped flour to that bakery, only to find that flour was also stuck on the docks since July. This was in November when I was talking to him. Once my office became involved, and with the help of the U.S. Embassy and the USAID, the flour and the other orphanage's x-ray machine were finally liberated, but that was 7 months later.

Mr. President, Haiti is an island. It is therefore very vulnerable to the poor functioning of its ports. On an island such as Haiti, a badly run and corrupt port can become a major chokepoint for imports and also exports. A vibrant assembly sector, for example, cannot hope to grow as long as the port authority exacts a \$750-per-container export fee.

The Inter-American Development Bank, Mr. President, is to spend literally hundreds of millions of dollars to build roads in Haiti. The main purpose of these roads is to allow farmers and others to get goods to the ports for export. But those roads will not do any good if Haiti cannot even get things in or out of the port to begin with.

Humanitarian aid, Mr. President, is just as vulnerable as are ordinary commercial imports and exports. Because economic reform remains a long-term goal, continued humanitarian aid remains an immediate need that must be met. Many concerned American volunteer groups are sending food and other emergency aid to Haiti. But huge tariff or port entry fees are keeping aid sitting on the docks for months. Food shipments are simply left to rot, discouraging many from even trying.

Mr. President, here is an example of where American know-how can help. I am glad to report we have made some progress in making the humanitarian-aid train run on schedule. United States Ambassador William Swing has informed me that the Haitian Government has agreed to let assistance from private voluntary organizations, PVO's, who are affiliated with the United States Government enter Haiti

without having to pay the 4-percent so-called verification fee. Shipments of food, pharmaceuticals and scholastic materials will be exempt from that verification fee for all PVO's, as well as United States Government agencies shipping aid to Haiti. That, Mr. President, is certainly a step in the right direction.

Let me now turn to a related humanitarian matter, the current U.S. food-aid policy. That policy is shifting from a general feeding program to one targeted to women and infants. That is a wise step. But, Mr. President, I believe it should be modified so that the children in orphanages and the elderly in institutional care continue to receive this food until there is an alternative feeding program in place.

In Port-au-Prince, my wife Fran visited an orphanage run by a nun who goes to hospitals to gather as many children as her orphanage will hold. These children who have been abandoned as babies are simply left at the hospital. She now takes care of 50 babies and children, many of whom came to the orphanage horribly malnourished. My wife had the opportunity to see some of these children, and it was a very pitiful sight.

Mr. President, if the proposed U.S. food-aid policy is left unchanged, it would harm the neediest and most vulnerable patients, such as these babies. USAID is evaluating this policy now. I would urge them to reformulate the policy so that the most vulnerable people, children in orphanages and the elderly in institutions, are not left out.

Mr. President, there is another topic that I do not intend to address today. That is the issue of Haitian agriculture. Haiti cannot recover—true progress cannot be made—without a viable agricultural sector. But Haitian agriculture has been devastated. Haiti needs to do what it can to help themselves in this particular area. I intend to return to the floor at some future date, Mr. President, to discuss this issue in greater detail than time would permit today.

Let me conclude by underlying the central fact about today's Haiti. It is an extremely troubled country. The road ahead is uphill, and it is very steep. Turning around two centuries of poverty and misrule is not a task that can be accomplished by Haitians overnight.

That is why, Mr. President, it is important for Congress and the administration to work out a realistic bipartisan consensus on Haiti. The United States cannot make Haiti an island paradise. Only the people of Haiti can determine their own destiny. But we can help the Haitian people transform their country into one that works, one that exports goods and services, one where the people will come together to escape from their past rather than escaping from their homeland. That is their only hope for a viable future. That is a goal worthy of America's support.

Mr. President, I will continue to work with the administration, with Members of both parties here in Congress to make sure this goal gets the attention that it needs.

EXHIBIT 1

U.S. DEPARTMENT OF STATE,
Washington, DC, February 6, 1997.

Hon. MIKE DEWINE,
U.S. Senate.

DEAR SENATOR DEWINE: I read with interest your January 24 OpEd article in the Wall Street Journal.

I wholeheartedly concur with you on the need for further reforms in the police, judiciary and economy if Haiti is to realize the full benefits from the restoration of democracy. In this regard, I believe you would be interested in some developments that have occurred since your November visit to Haiti which address these shared concerns.

Police and Judicial Reforms: The Inspector General (IG) of the Haitian National Police (HNP) has continued to crack down on police officers implicated in malfeasance or other improper activity, including during the last month the detention of four HNP officers involved in a November 5 shootout in the Delmas suburb of Port-au-Prince. Over the last year, IG investigations have resulted in the dismissal of dozens of police officers. As you note, one of the most positive elements of our own effort to strengthen the fledgling Haitian National Police has been the contribution of U.S. police mentors working with their Haitian counterparts. Responding to continued Haitian Government interest in this program and to your recommendation that additional U.S. civilian police officers be assigned to Haiti, the current U.S. contingent of 22 officers will be augmented this week with the arrival of ten new mentors.

I also believe that additional measures are needed to ensure a thorough investigation of the murders of Haitian political figures. Two additional experienced, Creole-speaking U.S. investigators have been assigned to the Special Investigation Unit (SIU), and in response to a formal request from Haitian authorities, the FBI has agreed to provide a medical examiner to perform autopsies. We will give positive consideration to additional areas of support to the SIU that might be identified during a forthcoming FBI visit to Haiti to develop an investigation plan for the SIU.

In the area of judicial reform, strengthening prosecutorial capabilities and the courts remain a priority USG effort, and we will work with the Congress to provide adequate resources for these efforts.

Economic reforms: I agree with you that progress on privatization and tariff reform are essential to encourage economic development and private-sector investment. The Department remains committed to working closely with the Congress to establish and apply realistic conditions that will encourage sustainable economic development. We also plan to target USAID safety-net programs toward those most in need including, as you recommend, maintaining feeding programs directed at vulnerable sectors such as mothers and their infants.

Again, I wish to express my appreciation for your interest in Haiti and your desire to work with the Administration in pursuit of democratization, political security and economic reform. Your visits have helped to galvanize a bipartisan effort that, in turn, will help Haiti to help itself. National Security Advisor Sandy Berger and I hope to visit Haiti in the near future. I look forward to continuing close cooperation with you to address the problems of the poorest and least developed of our neighbors.

Sincerely,

STROBE TALBOTT.

Mr. DEWINE. Mr. President, I thank the Chair for his indulgence and yield the floor.

Mr. BYRD addressed the Chair.

The PRESIDING OFFICER. The Senator from West Virginia.

ISRAELI SETTLEMENTS POLICY IN JERUSALEM

Mr. BYRD. Mr. President, last week the Israeli leader, Prime Minister Benjamin Netanyahu, decided to authorize a politically volatile housing project for Israeli settlers in predominantly Arab East Jerusalem. This disappointing act has thrown into confusion the promising opening that was generated by the long and difficult, but successful negotiations last month, which culminated in an agreement returning control of the West Bank city of Hebron to the Palestinians. The United States invested very considerable efforts, negotiating talent and prestige to move the peace process along. The agreement over Hebron gave the world great hope that a long-term peaceful settlement of the outstanding issues between Israel and the Palestinians was on an upward track.

Therefore, it is very unfortunate, in my view, that the reality of the substantial success over Hebron prompted the right wing of Israeli politics to pressure Prime Minister Netanyahu into this latest act on housing settlements. According to the New York Times of March 2, 1997, "a powerful group of Mr. Netanyahu's conservative colleagues" "leaned on him" to prove his commitment to Jerusalem by building Har Homa, threatening to bring down the government if he failed. With new territorial concessions to the Palestinians looming, Mr. Netanyahu told Americans and Palestinians privately that he had to "fill his right wing tank" on Har Homa if he was to keep on the peace route.

This is a most disappointing situation. Progress on peace is regarded as a threat by the Israeli right wing and has resulted in efforts to force the Prime Minister to retreat from his own success. The Israeli right wing should know that their behavior will have consequences in the United States, and I for one will relate my support for their agenda to their support of that of the United States, which is a fair, equitable and just peace in Jerusalem and the Middle East. The process of American intermediations between the Israelis and Palestinians is a serious matter and we cannot stand by and watch the Israeli right wing, at their whim, pull the rug out from under whatever progress is accomplished. Such actions should be understood to have consequences for support for Israel's various interests as they are considered by Senators.

I hope the Israeli Prime Minister will do better at withstanding the pressure of his right wing and, that the considerable influence of American groups will be exercised to counter those nega-

tive pressures. I hope, as I am sure my colleagues do, that the peace process will not be derailed by the actions of an extreme right wing minority in Israel and that the settlements issue will be adjusted by the Prime Minister to reflect the opportunity that the successful Hebron agreement has provided.

Mr. President, I thank my friend from Indiana, Senator COATS, for his courtesy in allowing me to proceed ahead of him. I thank him very much indeed.

Mr. COATS. Mr. President, it is not difficult to yield to the Senator from West Virginia because the content of what he says is always instructive, and I am always pleased to be on the floor when he is speaking because I always learn something.

Mr. BYRD. I thank the Senator.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. COATS. Mr. President, I thank the Chair.

(The remarks of Mr. COATS pertaining to the introduction of S. 409 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. GRASSLEY. Mr. President, I ask unanimous consent to extend the normal time of 5 minutes to 13 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

FBI MANAGEMENT FAILURES— PART THREE

Mr. GRASSLEY. Mr. President, troubling facts continue to surface in the FBI crime lab issue. These facts are putting flesh on the bones of allegations that much of the lab's analysis is sloppy, not credible, fabricated, or all of the above.

The FBI has charged that these allegations are unfounded, and that they are the musings of one Dr. Frederic Whitehurst. Dr. Whitehurst has come forward as a whistleblower with serious charges against the lab and its management. The FBI chose to shoot the messenger instead of taking Dr. Whitehurst seriously.

After a year of studying Dr. Whitehurst's claims and his information, I was not so sure the FBI took the wise course. Then, after a private briefing by the Justice Department's inspector general on his investigation into these matters, I was even more convinced that the FBI has taken the wrong course. And now that the FBI has taken personnel action against Dr. Whitehurst in retaliation for his telling the truth, I am convinced that the Bureau is dead wrong.

The FBI's defense—some would say coverup—is slowly unraveling. Last week, we discovered that it wasn't just Dr. Whitehurst that has raised serious concerns. Another respected scientist, Dr. William Tobin, had raised equally serious allegations in 1989. He alleged that an FBI agent tampered with evidence and made a series of false statements while testifying in court proceedings against then-Judge ALCEE L.